

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re FIRSTENERGY CORP. SECURITIES
LITIGATION

) No. 2:20-cv-03785-ALM-KAJ
)
) CLASS ACTION

This Document Relates To:

ALL ACTIONS

)
) Judge Algenon L. Marbley
) Magistrate Judge Kimberly A. Jolson
)
)

MFS Series Trust I, et al.,

Plaintiffs,

vs.

FirstEnergy Corp., et al.,

Defendants.

) Case No. 2:21-cv-05839-ALM-KAJ
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Brighthouse Funds Trust II – MFS Value
Portfolio, et al.,

Plaintiffs,

vs.

FirstEnergy Corp., et al.,

Defendants.

) Case No. 2:22-cv-00865-ALM-KAJ
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[PROPOSED] ORDER

Before this Court is FirstEnergy's motion to certify under 28 U.S.C. § 1292(b) the Court's May 6, 2024 Order (ECF No. 653 ("Order")) upholding the Special Master's order (ECF No. 571) compelling FirstEnergy and its directors to provide testimony and turn over documents related to two internal investigations conducted by outside counsel, and to stay the Order pending appellate review. Having reviewed the motion and related papers and, after due deliberation, the Court finds that FirstEnergy's motion should be GRANTED. The Court therefore AMENDS the Order to include this Court's determination that the Order involves controlling questions of law as to which there is substantial ground for difference of opinion, and that immediate appeal of the Order may materially advance the ultimate termination of the litigation. It is further ORDERED that the Order is stayed pending final resolution of appellate proceedings related to the Order.

IT IS SO ORDERED.

Date: _____, 2024.

UNITED STATES DISTRICT JUDGE

OR

UNITED STATES MAGISTRATE JUDGE